

require the particulars of the subcombination; and 2) the subcombination has utility other than that specified by the combination.

The Examiner states that the combination as claim does not require the particulars of the subcombination because the polyester cord can be coated with an aqueous sizing composition. The undersign has no idea why any one would want to coat the polyester cord with an aqueous sizing composition as this would make it entirely unfit for its intended use set forth in the specification. Moreover, it is noted that both independent claims 1 and 12 are "comprising" claims (meaning they are open ended) and therefore if claim 1 calls for additional steps, so could claim 12. Therefore, if the Examiner states that the polyester cord can be coated with an aqueous sizing composition, there is no reason why both claims (1 and 12) could not include such a limitation. The end result is that the combination would require the particulars of the subcombination.

The Examiner also states the subcomposition has separate utility such as adhering fiber sheets to a substrate. The single dip adhesion composition is not an adhesive in the sense that it can adhere fiber sheets to a substrate. It is an adhesive in the sense that polyester is almost inert and does not stick to rubber. The single dip adhesive composition in fact does stick to polyester and is compatible with and bonds to rubber. Prior art coating compositions required several dips of different composition types. The present invention calls for a dip that makes the polyester cord suitable for use in tires directly. The adhesive composition set forth in claim 1 is not an adhesive such as a glue, which is comparable of adhering fiber sheets to substrate. The composition set forth in claim 1 has utility only for polyesters bonding to rubber, as also set forth in claim 12, the combination claim. Accordingly, the subcombination doesn't have utility beyond that of the combination.

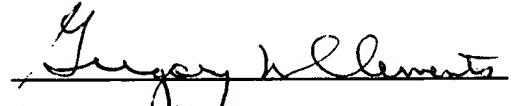
In view of the above two paragraphs, it is submitted that the inventions are not distinct and have not acquired a separate status in the art. It is believed, in fact, that the restriction requirement is improper and the Examiner is urge to reconsider the restriction in light of these comments.

On April 10, 2002 the Examiner made a telephone call to the undersigned. Unfortunately, the undersigned was on a business trip on the West Coast on this day.

The undersigned hereby elects for applicant Group I claims 1 – 11, drawn to a single dip adhesive composition. This election is with traverse in view of the above remarks. It is submitted that if the Examiner were to find the composition set forth in claim 1, as further defined by claims 2 – 11, it is highly likely the Examiner would be able to reject claims 12 – 23 on the same art.

In view of the above remarks it is submitted that the present application is now in condition for examination, preferably of all the claims 1 – 23.

Respectfully yours,



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